

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CHRISTOPHER HIRAM CANO,
Plaintiff,

-against-

ILYA KHARKOVER, et al.,
Defendants.

1:22-cv-10557 (JLR)

ORDER

JENNIFER L. ROCHON, United States District Judge:

On May 1, 2023, *pro se* Plaintiff filed a motion for default judgment. ECF No. 10. Defendant City of New York opposed Plaintiff's motion that same day. ECF No. 11. Plaintiff's motion is hereby denied because no defendant has failed to respond to the Complaint, nor has Plaintiff sought a certificate of default from the Clerk of Court as to any defendant. *See* Fed. R. Civ. Pro. 55. Defendants City of New York, Deputy Chief Patricia Feeney, Deputy Officer Tindal, C.O. Crowell, Captain Guan, C.O. Sam, C.O. McNeil, and C.O Kenol (the "City Defendants") waived service of process on March 3, 2023, and their deadline to respond to the Complaint had not expired as of the time Plaintiff moved for default. ECF No. 8. No other defendant has yet been served. Accordingly, because no defendant has failed to respond to the Complaint, Plaintiff's motion for default judgment is **DENIED**.

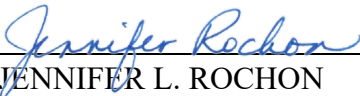
Also on May 1, 2023, the City Defendants requested a 60-day extension of their time to answer or otherwise respond to the Complaint, from May 2, 2023 to July 3, 2023. ECF No. 11. The City Defendants seek this extension to investigate Plaintiff's claims and prepare an appropriate response. *Id.* The request is hereby **GRANTED** and the deadline for the City Defendants to answer or otherwise respond to the Complaint is extended to **July 3, 2023**.

By separate order today, the Court is referring this case to the designated Magistrate Judge for General Pretrial Purposes, including settlement.

The Clerk of Court is respectfully directed to mail this Order to *pro se* Plaintiff at the address listed on the docket, and to terminate ECF Nos. 10 and 11.

Dated: May 3, 2023
New York, New York

SO ORDERED.



JENNIFER L. ROCHON
United States District Judge